

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AT&T CORP. and ALASCOM, INC. d/b/a
AT&T Alascom, Inc.,

Plaintiffs,

v.

DAVID W. WALKER, DONALD J.
SCHROEDER, and TERRY A. GUNSEL,

Defendants.

TERRENCE J. DONAHUE, Trustee for
Chapter 7 Bankruptcy Estate of PT cable, Inc.

Plaintiff-in-Intervention,

v.

THE CARLYLE GROUP, L.P., a.k.a. The
Carlyle Group; *et al.*

Defendants-in-Intervention.

Case No. C04-5709FDB


ORDER DENYING MOTION TO
VACATE PARTIAL SUMMARY
JUDGMENT

The parties in this case have reached a settlement agreement, and as a part of that agreement, among other things, AT&T has agreed to dismiss all of AT&T's claims, and, additionally, not to object to a motion to vacate the Court's partial summary judgment ruling.

1 The Court has considered the parties' submissions on this motion and declines to vacate the
2 partial summary judgment order.

3 NOW, THEREFORE, IT IS ORDERED: Motion of Defendants Walker, Schroeder, and
4 Gunsel to Vacate the Court's Order of June 28, 2006 Granting Partial Summary Judgment [Dkt. #
5 173] is DENIED.

6 DATED this 4th day of January, 2007.

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9 FRANKLIN D. BURGESS
10 UNITED STATES DISTRICT JUDGE
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